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PATENT
Customer No. 22,852
Attorney Docket No. 10208.0004-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
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Terry JOURNEAUX et al.) Group Art Unit: 3632
)
Serial No.: 10/566,387) Examiner: WUJCIAK, Alfred J.
)
Filed: September 13, 2006)
) Confirmation No.: 5544
For: IMPROVEMENTS RELATING TO)
CABLE INSTALLATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a restriction requirement dated June 27, 2008, the Examiner required restriction under 35 U.S.C. § 121 between Species I (FIGs. 1-2), Species II (FIG. 3), Species III (FIGs. 4-6) and Species IV (FIGs. 7-8).

The Examiner alleged that the species are patentably distinct "because the claims to the different species recite the mutually exclusive characteristics of such species." Applicants respectfully disagree with this conclusion and hereby traverse the restriction requirement. All claims currently pending in the application recite a method of securing an electrical cable clip to a structure. Figures 1 and 2 depict one embodiment of the electrical cable clip. Despite the fact that the Examiner places Figure 3 in a different species from Figures 1 and 2, Figure 3 depicts the very same clip as Figures 1 and 2, from a different view. Figures 4, 5, and 6 depict one embodiment of

a nail gun adapter that can be used in the claimed method to secure the electrical cable clip of Figures 1, 2, and 3 to a structure. And, again, although the Examiner asserts that Figures 7 and 8 depict yet another species of Applicants' invention, Species IV, those figures simply depict the same electrical cable clip of Figures 1, 2, and 3, albeit in its closed, rather than open, state.

However, in the interest of advancing prosecution in this case, Applicants provisionally elect to prosecute Species III (described by the Examiner as Figures 4-6). Applicants submit that this election encompasses all pending claims, claims 46-90.

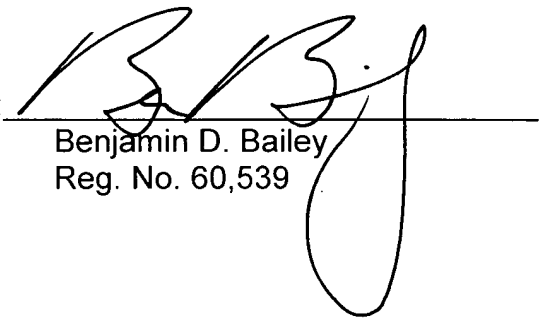
Please grant any additional extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: July 28, 2008

By:


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